



UNITED STATES MARINE CORPS
MARINE CORPS BASE
PSC Box 20004
Camp Lejeune, NC 28542-0004

BO 5350.1H
BSJA4

8 NOV 1999

BASE ORDER 5350.1H

From: Commanding General
To: Distribution List

Subj: PROCEDURE FOR HANDLING COMPLAINTS OF OFF-BASE DISCRIMINATION
PRACTICED UPON MILITARY PERSONNEL

Ref: (a) MCO P5354.1C
(b) BO P5354.1B
(c) 42 USC § 2000a, et. seq. (The Civil Rights Act of 1964)
(d) 42 USC § 3606 (The Civil Rights Act of 1963)
(e) 42 USC § 1982 (The Civil Rights Act of 1866)

Encl: (1) Summary of Provisions of Titles II and III Civil Rights Act of 1964, 42 USCA § 2000 a-b
(2) Summary of Provisions of Title VIII Civil Rights Act of 1968, 42 USCA § 3606 et. seq.
(3) Applicable Provision of Civil Rights Act of 1866, 42 USCA § 1982
(4) HUD form 903, Housing Discrimination Complaint
(5) Format for Equal Opportunity in Off-Base Housing Policy Letter
(6) Format for Report of Discrimination in Off-Base Housing
(7) Format for Notifying Commander of Member Residing in Unauthorized Quarters
(8) Format for Notifying Member to Vacate Unauthorized Quarters

1. Purpose. To implement the provisions, requirements, and policies of reference (a) pertaining to complaints of off-base discrimination against military personnel and their dependents, and to ensure uniformity in the procedure used in resolving complaints in the Camp Lejeune area. Reference (b) establishes the Marine Corps Base Equal Opportunity Program.

2. Cancellation. BO 5350.1G.

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3. Background.

a. Previous editions of this Order continued established procedures whereby military personnel alleging off-base discrimination involving themselves or their dependents could submit their complaints via the chain of command to the Commanding General, Marine Corps Base for command assistance in resolving the complaint.

b. Uniform procedures for handling such complaints regarding housing were promulgated by reference (a). Therefore, the provisions of reference (a) applicable to discrimination complaints will be used in the investigation and processing of such complaints.

c. References (c) and (d) give citizens the right, in many instances, to institute suits through the U.S. District Courts to obtain relief from discriminatory practices. In addition to this right of private action, the Attorney General of the United States may take the same action if the circumstances so warrant. Enclosure (1) summarizes the provisions of Titles II and III of reference (c). Enclosure (2) summarizes the provisions of Title VIII of reference (d), and enclosure (3) sets forth the applicable provisions of reference (e). Enclosure (4) is the standard form used for filing complaints with the U.S. Department of Housing and Urban Development.

4. Policy. It is the policy of this command to foster and actively seek equal opportunity for all military personnel and their dependents. One facet of this policy is to give assistance to military personnel and their dependents who are alleging discrimination because of race, color, religion, sex, or national origin. This command will take appropriate action to ensure that no local facilities are closed or denied to DoD personnel on the basis of race, color, religion, sex, or national origin.

5. Resolving Complaints of Discrimination, Off-Base Housing.

a. In accordance with Chapter 3 of reference (a), the Director of Family Housing is designated to receive all complaints of discrimination in off-base housing. Upon receipt, the Director will inform the complainants of the procedures for registering complaints as well as the policy set forth in enclosure (5). A copy of all complaints of discrimination will be forwarded to the Armed Forces Disciplinary Control Board (AFDCB) Officer. The AFDCB Officer will monitor actions taken on all complaints and take appropriate actions under the circumstances.

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b. If the preliminary investigation indicates that the complaint cannot be substantiated, then no report of the complaint will be made to higher authority and the complainant will be advised that the complaint has not been substantiated. The complainant will be informed that he or she may consult a legal assistance attorney in the Office of the Staff Judge Advocate (OSJA), if not satisfied with the result.

c. If the allegation of discrimination is substantiated, the Director will forward a letter, similar to enclosure (6) of this Order, to the OSJA. An officer will be appointed to investigate the matter to determine whether any evidence of discrimination actually exists. If the Investigating Officer determines that the person complained against is discriminating, and if the Staff Judge Advocate (SJA) concurs with such finding, then the SJA will prepare a memorandum for the Commanding General's signature. The memorandum will analyze the impact of the discrimination upon DoD personnel, the effort made to obtain relief from the person complaining of the discrimination, and assurances, if any, of future nondiscriminatory policy. It will also describe a plan for monitoring the imposition of the required restrictive sanction. The investigation and memorandum, if any, will be forwarded to the Commanding General via the Base Inspector. The Commanding General will endorse the investigation and forward it to the Commandant of the Marine Corps (MPH). If a statute has been violated, copies of the investigation and memorandum will be forwarded to the Secretary of Housing and Urban Development (HUD) and to the Department of Justice (Civil Rights Division).

d. The Director of Family Housing will ensure that the complainants whose complaints are substantiated obtain suitable civilian housing as soon as practicable; or, if this cannot be done within 30 days, that they be given priority status for military housing.

e. The Director will ensure that DoD personnel residing in a facility which becomes sanctioned after their occupancy will be informed of the restrictive sanctions, although they will not be required to move, and all persons reporting to the Housing Referral Office upon checking in to the Base will be informed that DoD personnel are not allowed to use the sanctioned facilities. If at any time the Director discovers that a service member has moved into a sanctioned facility after sanctions have been imposed and the service member has been informed of the sanctions, the member's commanding officer will be immediately informed using a letter similar to enclosure (7). The member's commanding officer will inform the member in writing similar to enclosure (8) that if he or she fails to heed the commander's order to vacate the sanctioned facilities, he or she will be subject to disciplinary measures.

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f. If the SJA finds that the suspected facility is discriminating, but is not in violation of any statute, a letter to the complainant will be drafted by the SJA explaining this finding and offering an appointment with an attorney to personally explain to the complainant the statute and how it varies from Marine Corps policy.

g. If the SJA finds no discriminatory practices, the owner of the suspected facility and the complainant will be notified in writing by the Investigating Officer of the results of the investigation. The SJA will assign an attorney to counsel the complainant concerning the determination by the Investigating Officer and will keep the Investigating Officer's report on file. The Director of Family Housing will continue to monitor the suspected offender.

h. Where there is more than one complainant alleging discrimination involving the same agent, documentation may be consolidated, if appropriate, and forwarded to HUD and the Department of Justice by the SJA.

i. The Director of Family Housing will monitor all sanctioned facilities. At least once per calendar quarter, the owner or agents of the owner of a sanctioned facility will be personally contacted for the purpose of explaining Marine Corps policy and encouraging nondiscriminatory practices.

6. Resolving Complaints of Discrimination in Off-Base Facilities and Accommodations other than Housing.

a. The Chief Legal Assistance Attorney is designated as the officer to receive complaints of discrimination in off-base facilities and accommodations other than off-base housing. A copy of all complaints of discrimination will be forwarded to the AFDCB Officer. The AFDCB Officer will monitor actions taken on all complaints and take appropriate actions under the circumstances.

b. Upon receipt of the complaint, the Chief Legal Assistance Attorney will advise the complainant of the following:

(1) The application of the Civil Rights Act of 1964 to the specific instances which are considered by the member or dependent to be discriminatory.

(2) The avenues available to the individual to eliminate discriminatory practices, at the election of the individual, which are as follows:

(a) Upon request of the complainant, the command will attempt to obtain local assurances that the practices will cease.

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(b) The individual, using command assistance, may file a request for suit with the Attorney General of the United States.

(c) The individual may file suit in the U. S. District Court in his or her own behalf or communicate directly to the Attorney General with a request that suit be initiated by the United States.

c. Upon the complainant's request for assistance, which may be oral or written, the Chief Legal Assistance Attorney shall request the Armed Forces Disciplinary Control Board (AFDCB) to conduct a preliminary inquiry. The inquiry may be informal in nature, but shall be sufficiently detailed to indicate whether discrimination exists. A statement should be obtained from the complainant and other available witnesses.

(1) If the preliminary inquiry supports the complainant's charge of unlawful discrimination, the Chief Legal Assistance Attorney shall seek a resolution of the current complaint and appropriate assurances that future practices at the facilities shall provide for nondiscriminatory treatment of military personnel and their dependents.

(2) If satisfactory assurances with respect to future practices are obtained, the Chief Legal Assistance Attorney shall promptly notify the complainant and forward a final report to the Base Inspector via the SJA. The report shall summarize the practices giving rise to the complaint, the Chief Legal Assistance Attorney's efforts to obtain assurances concerning future practices, and the terms of assurances provided.

(3) If satisfactory assurances and resolution of the problem cannot be made, the Chief Legal Assistance Attorney shall promptly notify the complainant and advise the complainant of other available remedies.

d. The AFDCB Recorder/Investigator will complete the inquiry and submit the report to the Base Inspector via the Staff Judge Advocate within 15 days from the date of the complaint.

7. Action.

a. All commanding officers are directed to give the information contained in this Order wide dissemination.


b. Individual service personnel, or their dependents, complaining of off-base discriminatory practices should be referred immediately to the Consolidated Legal Assistance Office or the Director of Family Housing, as appropriate.

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c. The Base Inspector will continuously review the organization and assignment of responsibilities to ensure that the necessary resources and authority are applied to this important matter.

8. Reserve Applicability. This Order is applicable to the Marine Corps Reserve.

9. Concurrence. This Order has been coordinated and concurred in by the Commanding Generals, II Marine Amphibious Force, 2d Marine Division, 2d Force Service Support Group, and the Commanding Officer, Marine Corps Air Station, New River.


B. A. GOMBAR
Chief of Staff

DISTRIBUTION: A

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SUMMARY OF PROVISIONS OF TITLES II AND III
CIVIL RIGHTS ACT OF 1964
42 USCA § 2000 a-b

A. TITLE II - Discrimination in places of public accommodation

1. This Title prohibits discrimination on the grounds of race, color, religion, or national origin in any place of public accommodation.

a. Places of public accommodation are places whose operations affect commerce or whose discrimination or segregation is supported by state action and is:

(1) Any inn, hotel, motel, or other transient lodging place having more than five rooms for rent; or

(2) Any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises; or

(3) Any motion picture house, theater, concert hall, sports arena, stadium, or other places of exhibition or entertainment; and

(4) Not a private club or other establishment not in fact open to the public.

2. Any person discriminated against at a place of public accommodation may institute a civil action for preventive relief in an appropriate District Court of the United States. If the Attorney General certified that the case is of general public importance, he may be allowed to intervene. Additionally, under certain circumstances in the court's discretion, a lawyer may be appointed to assist the person allegedly discriminated against and allow the suit to be commenced without payment of fees, costs, or security.

3. The Attorney General, if he feels the case is of general public importance, may institute a civil action against any person or persons whom he has reasonable cause to believe is engaged in a practice or pattern or resistance to the full employment of public accommodations by other persons on the grounds of race, color, religion or national origin.

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B. TITLE III - Desegregation of public facilities--one operated or controlled by a state, or by its political subdivisions or other instrumentalities.

Whenever the Attorney General receives a complaint in writing which he considers meritorious to the effect that the individual complaining is unable to bring suit himself and is being deprived of or threatened with the loss of his right to equal protection of the law on account of his race, color, religion, or national origin, by being denied equal utilization of any public facility (other than public schools, which are covered in another section), the Attorney General is authorized to institute a lawsuit for appropriate relief if he feels this lawsuit will materially further the orderly achievement of desegregation in public facilities.

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SUMMARY OF PROVISIONS OF TITLE VIII
CIVIL RIGHTS ACT OF 1968
42 USCA § 3606 et. seq.

This Title prohibits discrimination on the grounds of race, color, religion, or national origin in the sale, rental, or financing of housing.

A. Section 42 USC 3603 - the areas covered by the Act and the effective dates of the coverage.

1. Covered from effective date of statute.

a. Dwellings owned and operated by the Federal Government.

b. Dwellings financed in whole or in part with federal loans entered into after November 20, 1962, except dwellings subject to mortgages held by FDIC or FSLIC institutions.

c. All dwellings except:

Any single-family house, sold or rented by an owner except where he owns more than three single-family houses, or has title to or right to all or a portion of the proceeds from the sale or rental, of more than three single-family houses at one time. Also, if the owner was not the most recent resident of the house at the time of the sale, then he is exempt from the coverage of the Act for only one sale during a 24-month period.

2. Covered after December 31, 1969.

B. Section 42 USC 3604 as amended August 22, 1974 -- what acts are unlawful.

1. To refuse to sell or rent after a bona fide offer or to refuse to negotiate for the sale or rental of a dwelling because of race, color, religion, sex, familial status, or national origin.

2. To discriminate against any person in the terms, conditions, or privileges in the sale or rental of property.

3. To print or publish any notice or statement in respect to sale or rental of housing that indicates a preference or discrimination.

4. To make representations that a dwelling is not available when such dwelling is available.

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5. For profit, to induce any person to sell or rent by representations regarding the entry into the neighborhood of a person or persons of a particular race, color, religion, sex, familial status, or national origin.

C. Section 42 USC 3605 - Discrimination in the financing of housing.

1. It is unlawful for any bank or lending institution to deny a loan or discriminate in granting a loan for a dwelling.

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APPLICABLE PROVISIONS OF
CIVIL RIGHTS ACT OF 1866
42 USC § 1982

All citizens of the United States shall have the same right, in every state and territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.

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Housing Discrimination Complaint

U.S. Department of Housing
and Urban Development
Office of Fair Housing
and Equal Opportunity

OMB Approval No. 2529-0011
(exp. 4/30/2001)

Please type or print this form

Public Reporting Burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Read this entire form and all the instructions carefully before completing. All questions should be answered. However, if you do not know the answer or if a question is not applicable, leave the question unanswered and fill out as much of the form as you can. Your complaint should be signed and dated. Where more than one individual or organization is filing the same complaint, and all information is the same, each additional individual or organization should complete boxes 1 and 7 of a separate complaint form and attach it to the original form. Complaints may be presented in person or mailed to the HUD State Office covering the State where the complaint arose (see list on back of form), or any local HUD Office, or to the Office of Fair Housing and Equal Opportunity, U.S. Department of HUD, Washington, D.C. 20410.

This section is for HUD use only.

Number	(Check the applicable box) <input type="checkbox"/> Referral & Agency (specify) <input type="checkbox"/> Systemic <input type="checkbox"/> Military Referral	Jurisdiction <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Additional Info	Signature of HUD personnel who established Jurisdiction
Filing Date			

1. Name of Aggrieved Person or Organization (last name, first name, middle initial) (Mr.,Mrs.,Miss,Ms.)	Home Phone	Business Phone
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Street Address (city, county, State & zip code)

2. Against Whom is this complaint being filed? (last name, first name, middle initial)	Phone Number
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Street Address (city, county, State & zip code)

Check the applicable box or boxes which describe(s) the party named above:

☐ Builder ☐ Owner ☐ Broker ☐ Salesperson ☐ Supt. or Manager ☐ Bank or Other Lender ☐ Other

If you named an individual above who appeared to be acting for a company in this case, check this box ☐ and write the name and address of the company in this space:

Name: Address

Name and identify others (if any) you believe violated the law in this case:

3. What did the person you are complaining against do? Check all that apply and give the most recent date these act(s) occurred in block No. 6a below.

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Refuse to rent, sell, or deal with you | <input type="checkbox"/> Falsely deny housing was available | <input type="checkbox"/> Engage in blockbusting | <input type="checkbox"/> Discriminate in broker's services |
| <input type="checkbox"/> Discriminate in the conditions or terms of sale, rental occupancy, or in services or facilities | <input type="checkbox"/> Advertise in a discriminatory way | <input type="checkbox"/> Discriminate in financing | <input type="checkbox"/> Intimidated, interfered, or coerced you to keep you from the full benefit of the Federal Fair Housing Law |
| <input type="checkbox"/> Other (explain) | | | |

4. Do you believe that you were discriminated against because of your race, color, religion, sex, handicap, the presence of children under 18, or a pregnant female in the family or your national origin? Check all that apply.

- | | | | | | |
|--|---|--|---|--|---|
| <input type="checkbox"/> Race or Color
<input type="checkbox"/> Black
<input type="checkbox"/> White
<input type="checkbox"/> Other | <input type="checkbox"/> Religion (specify) | <input type="checkbox"/> Sex
<input type="checkbox"/> Male
<input type="checkbox"/> Female | <input type="checkbox"/> Handicap
<input type="checkbox"/> Physical
<input type="checkbox"/> Mental | <input type="checkbox"/> Familial Status
<input type="checkbox"/> Presence of children under 18 in the family
<input type="checkbox"/> Pregnant female | <input type="checkbox"/> National Origin
<input type="checkbox"/> Hispanic
<input type="checkbox"/> Asian or Pacific Islander
<input type="checkbox"/> American Indian or Alaskan Native
<input type="checkbox"/> Other (specify) |
|--|---|--|---|--|---|

5. What kind of house or property was involved? <input type="checkbox"/> Single-family house <input type="checkbox"/> A house or building for 2, 3, or 4 families <input type="checkbox"/> A building for 5 families or more <input type="checkbox"/> Other, including vacant land held for residential use (explain)	Did the owner live there? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	Is the house or property <input type="checkbox"/> Being sold? <input type="checkbox"/> Being rented?	What is the address of the house or property? (street, city, county, State & zip code)
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6. Summarize in your own words what happened. Use this space for a brief and concise statement of the facts. Additional details may be submitted on an attachment. Note: HUD will furnish a copy of the complaint to the person or organization against whom the complaint is made.	6a. When did the act(s) checked in Item 3 occur? (Include the most recent date if several dates are involved)
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7. I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.	Signature & Date
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Previous edition, dated, 11/92, may not be used;
other editions may be used until stock is exhausted.

form HUD-903 (1/93)
ref Handbook 8024.1

ENCLOSURE (4)

What Does the Fair Housing Amendments Act of 1988 Provide?

The Fair Housing Act declares that it is national policy to provide fair housing throughout the United States and prohibits eight specific kinds of discriminatory acts regarding housing if the discrimination is based on race, color, religion, sex, handicap, familial status or national origin.

1. Refusal to sell or rent or otherwise deal with a person.
2. Discriminating in the conditions or terms of sale, rental, or occupancy.
3. Falsely denying housing is available.
4. "Blockbusting"—causing person(s) to sell or rent by telling them that members of a minority group are moving into the area.
6. Discrimination in financing housing by a bank, savings and loan association, or other business.
7. Denial of membership or participation in brokerage, multiple listing, or other real estate services.
8. Interference, coercion, threats or intimidation to keep a person from obtaining the full benefits of the Federal Fair Housing Law and/or filing a complaint.

What Does the Law Exempt?

The first three acts listed above do not apply (1) to any single family house where the owner in certain circumstances does not seek to rent or sell it through the use of a broker or through discriminatory advertising, nor (2) to units in houses for two-to-four families if the owner lives in one of the units.

What Can You Do About Violations of the Law?

Remember, the Fair Housing Act applies to discrimination based on race, color, religion, sex, handicap, familial status, or national origin. If you believe you have been or are about to be, discriminated against or otherwise harmed by the kinds of discriminatory acts which are prohibited by law, you have a right, within 1 year after the discrimination occurred to:

1. **Complain to the Secretary of HUD** by filing this form by mail or in person. HUD will investigate. If it finds the complaint is covered by the law and is justified, it will try to end the discrimination by conciliation. If conciliation fails, other steps will be taken to enforce the law. In cases where State or local laws give the same rights as the Federal Fair Housing Law, HUD must first ask the State or local agency to try to resolve the problem.
2. **Go directly to Court** even if you have not filed a complaint with the Secretary. The Court may sometimes be able to give quicker, more effective, relief than conciliation can provide and may also, in certain cases, appoint an attorney for you (without cost).

You Should Also Report All Information about violations of the Fair Housing Act to HUD even though you don't intend to complain or go to court yourself.

Additional Details. If you wish to explain in detail in an attachment what happened, you should consider the following:

1. If you feel that others were treated differently from you, please explain the facts and circumstances.
2. If there were witnesses or others who know what happened, give their names, addresses, and telephone numbers.
3. If you have made this complaint to other government agencies or to the courts, state when and where and explain what happened.

Racial/Ethnic Categories

1. **White (Non Hispanic)**—A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
2. **Black (Non Hispanic)**—A person having origins in any of the black racial groups of Africa.
3. **Hispanic**—A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race.
4. **American Indian or Alaskan Native**—A person having origins in any of the original peoples of North America, and who maintains, cultural identification through tribal affiliation or community recognition.

5. **Asian or Pacific Islander**—A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

You can obtain assistance (a) in learning about the Fair Housing Act, or (b) in filing a complaint at the HUD Regional Offices listed below:

New England - Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
 HUD - Fair Housing and Equal Opportunity (FHEO)
 Boston Federal Office Building, 10 Causeway Street
 Boston, Massachusetts 02222-1092

New York / New Jersey
 HUD - Fair Housing and Equal Opportunity (FHEO)
 26 Federal Plaza
 New York, New York 10278-0068

Mid-Atlantic - Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
 HUD - Fair Housing and Equal Opportunity (FHEO)
 The Wanamaker Bldg., 100 Penn Sq. East
 Philadelphia, Pennsylvania 19107-3380

Southeast/Caribbean - Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, Virgin Islands
 HUD - Fair Housing and Equal Opportunity (FHEO)
 Richard B. Russell Federal Building, 75 Spring Street, S.W.
 Atlanta, Georgia 30303-3388

Midwest - Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
 HUD - Fair Housing and Equal Opportunity (FHEO)
 Ralph H. Metcalfe Federal Building, 77 West Jackson Blvd.
 Chicago, Illinois 60604-3507

Southwest - Arkansas, Louisiana, New Mexico, Oklahoma, Texas
 HUD - Fair Housing and Equal Opportunity (FHEO)
 1600 Throckmorton, P.O. Box 2905
 Fort Worth, Texas 76113-2905

Great Plains - Iowa, Kansas, Missouri, Nebraska
 HUD - Fair Housing and Equal Opportunity (FHEO)
 Gateway Tower II, 400 State Avenue
 Kansas City, Kansas 66101-2406

Rocky Mountains - Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
 HUD - Fair Housing and Equal Opportunity (FHEO)
 Executive Tower Building, 1405 Curtis Street
 Denver, Colorado 80202-2349

Pacific/Hawaii - Arizona, California, Hawaii, Nevada, Guam, American Samoa
 HUD - Fair Housing and Equal Opportunity (FHEO)
 450 Golden Gate Avenue
 San Francisco, California 94102-3448

Northwest/Alaska - Alaska, Idaho, Oregon, Washington
 HUD - Fair Housing and Equal Opportunity (FHEO)
 Suite 200 Seattle Federal Building, 909 1st Ave.
 Seattle, Washington 98104-1000

Privacy Act of 1974 (P.L. 93-579)

Authority: Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, (P.L. 100-430).

Purpose: The information requested on this form is to be used to investigate and to process housing discrimination complaints.

Use: The information may be disclosed to the United States Department of Justice for its use in the filing of pattern or practice suits of housing discrimination or the prosecution of the person who committed the discrimination where violence is involved; and to state or local fair housing agencies which administer substantially equivalent fair housing laws for complaint processing.

Penalty: Failure to provide some or all of the requested information will result in delay or denial of HUD assistance.

Disclosure of this information is voluntary.

For further information call the Toll-free Fair Housing Complaint Hotline 1-800-669-9777.
 Hearing Impaired persons may call (TDD) 1-800-927-9275.

Previous edition, dated, 11/92, may not be used;
 other editions may be used until stock is exhausted.

ENCLOSURE (4)

form HUD-903 (1/93)
 ref Handbook 8024.1

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FORMAT FOR EQUAL OPPORTUNITY IN OFF-BASE HOUSING POLICY LETTER

UNITED STATES MARINE CORPS
Marine Corps Base
Camp Lejeune, North Carolina 28542

5350
DFH

From: Director of Family Housing
To: Complainant

Subj: EQUAL OPPORTUNITY IN OFF-BASE HOUSING

1. It is the policy of the United States Marine Corps, the Department of Defense, and the Government of the United States to encourage equal opportunity to procure family housing to all members of the Armed Forces and their dependents, regardless of their race, religion, sex, or national origin. Certain statutes have been passed to enhance the ability of all persons in this country to have an equal opportunity to procure housing. Not all leasers of rental property are covered by these statutes and consequently they may discriminate without violating the law. Such discrimination is against the Department of Defense and Marine Corps policy and persons discriminating in off-base housing will not be allowed to provide housing for service members or their dependents.

2. If you believe that you have been discriminated against when you have asked to rent or buy off-base housing, you should file a complaint with the Housing Referral Officer (HRO) and then, with the help of the HRO, file a complaint with the Department of Housing and Urban Development (HUD) and the Department of Justice. You may be represented in such matters, if you so desire, by a military attorney provided by the Marine Corps at no expense to yourself. You, as a complainant, may also bring a private civil action in a court of competent jurisdiction separate and apart from your complaints to HRO, HUD, and the Department of Justice. Such a collateral action will in no way prejudice the complaints filed with any of the aforementioned Government agencies.

3. We encourage you to go to the Base Legal Assistance Office and obtain a military attorney to represent you in these matters.

(Signature)

ENCLOSURE (5)

UNITED STATES MARINE CORPS
Marine Corps Base
Camp Lejeune, North Carolina 28542-5000

MEMORANDUM

Subj: REPORT OF DISCRIMINATION IN OFF-BASE HOUSING

Ref: (a) BO 5350.1H

(Name of Complainant) of _____ (unit to which the
complainant belongs), alleges that _____ (name and address of the
facility complained about) has discriminated against him/her
because of his/her _____ (race, color, religion, sex, or national
origin). This complaint was made on _____ (date). A
preliminary investigation was made by the Housing Referral
Office, Marine Corps Base, Camp Lejeune, in accordance with
paragraph 5(c) of the reference, and it was determined there is a
substantial possibility that the facility in question is
discriminating against the complainant.

(Signature)

ENCLOSURE (6)

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FORMAT FOR NOTIFYING MEMBER TO VACATE UNAUTHORIZED QUARTERS

(Unit Heading)

From: Commanding Officer

To: (Name, rank, SSN of Marine violating the sanctions)

Subj: NOTIFICATION OF MEMBER RESIDING IN UNAUTHORIZED QUARTERS

Ref: (a) BO 5350.1H

1. It has been brought to my attention by _____ that you are residing in off-base quarters against which the Commanding General, Marine Corps Base, Camp Lejeune has imposed sanctions pursuant to the reference. These sanctions were in effect at the time you commenced occupancy of the property. These sanctions were imposed because the facility that you are living in was discriminating against military members because of their race, religion, sex, or national origin. These sanctions forbid service members from residing in those facilities.

2. You will, within 10 days of receipt of this letter, vacate those quarters at your own expense. If you do not do so, you will be in violation of the Uniform Code of Military Justice by disobeying my direct order. This will subject you to appropriate disciplinary measures.

(Signature)